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Deborah Baker

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Attorney Docket No.: GM50055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Lehr, <i>et al.</i>	29 October 2003
Serial No.:	10/031,010	Group Art Unit: 1651
Filed:	13 November 2001	Examiner: Leon B. Lankford, Jr.
For:	Methods of Using Rnase P Reaction Mechanisms of Action	

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF RESTRICTION REQUIREMENT UNDER
37 C.F.R. §1.143

Sir:

This paper is in response to the Office Action dated 29 September 2003, setting forth a thirty (30) day shortened statutory period for reply. This response is being filed within said period, and no fees are believed due. However, authorization is hereby given to deduct any fees required by this paper to Deposit Account No. 19-2570, should any fees be due.

Restriction Requirement Under 35 U.S.C. §§ 121 and 372

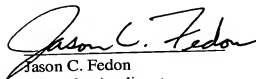
Claims 1 to 23 are pending in the application. Claims 1 to 23 are subject to a restriction requirement. Applicants traverse the restriction and request reconsideration and withdrawal of the restriction requirement for the reasons set forth herein.

The Examiner required restriction of claims 1 to 23 to one of the following Groups:

- | | |
|-----------|--|
| Group I | Claim 1, drawn to an antagonist. |
| Group II | Claims 2, 5, 9-11 and 14-17, drawn to a method for inhibiting or activating an RNaseP polypeptide. |
| Group III | Claims 3-4, 6-8, and 18-19, drawn to a method for treating a bacterial infection. |
| Group IV | Claims 12-23, drawn to a method for inhibiting bacterial growth. |

While the groups identified may be distinct, they are not independent because search terms for one group will necessarily be shared with other groups. Therefore, doing searches on these groups combined would not be a significant burden on the Examiner. Nevertheless, in the interest of advancing the prosecution of this case, Applicants wish to make a provisional election of Group II, Claims 2, 5, 9-11, and 14-17. Applicants retain the right to file divisional applications on the non-elected subject matter, should the restriction requirement become final. In view of the above, applicants submit that the instant restriction is improper and request that all of the pending claims be examined in the same application.

Respectfully submitted,


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